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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,283	02/24/2004	Chu-Hsien Chou		9988

7590  
G. LINK CO., LTD  
3550 BELL ROAD  
MINOOKA, IL 60447

06/26/2007

EXAMINER
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EDGAR, RICHARD A

ART UNIT	PAPER NUMBER
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3745

MAIL DATE	DELIVERY MODE
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06/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/784,283

Applicant(s)

CHOU, CHU-HSIEN

Examiner

Richard Edgar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 222 (FIG. 2, FIG. 3, FIG. 4, FIG. 5 and FIG. 6); and 3122 (FIG. 5 and FIG. 6). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The disclosure is objected to because of the following informalities:

On page 1, 5<sup>th</sup> line of numbered section "2," "baring 15" should be --bearing 16--.

On page 2, line 15, "e" should be -- be --.

On at least page 4, lines 7, 10 and 11, "annual" should be -- annular --.

Appropriate correction is required.

***Claim Objections***

Claims 1, 2 and 3 are objected to because of the following informalities:

In claim 1, line 6, claim 2, line 2, and claim 3, line 5, "seat" should be -- base --.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Each of the claims requires "an untouched minimum clearance." This description does not enable a person with ordinary skill in the art the ability to make the invention since it is unclear if this description is merely a gap, or if the claims are attempting to claim something other than a gap. Clearly, a gap is a clearance; a clearance inherently separates two elements thereby rendering them untouched; but a "minimum clearance" seems to suggest something other than simply a gap. However, the specification including the drawings does not offer any clear description other than a gap.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, as far as they are enabled, are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6,010,318 (Li hereinafter).

Li show an oil retaining axial fan comprising a fan frame 1, a motor base 12, a bearing seat 121 integrally formed to the motor base, the motor base axially projecting from the motor base to form an oil containing area 122; and a fan 2 rotationally joined to the motor base, the fan having a motor shaft 24 mounted in the bearing seat and a gap (see FIG. 3) between the shaft and the axially projection motor base portion thereby preventing oil from seeping from the oil containing area.

Claims 1-4, as far as they are enabled, are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,441,386 (Hsieh hereinafter).

Hsieh show a self lubricating bearing for an axial fan comprising a fan frame 21 and integral motor base 22 and bearing seat 23 projecting axially to define an oil containing area 24; a fan 10 rotationally joined to the motor; the fan comprising a shaft 14 received in the bearing seat 23; a stop piece 17 with a through hole 170 being joined to the inner side of the bearing seat 23, the through hole 170 being penetrated by the

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shaft 14 and inherently having a gap formed between the hole and the shaft, thereby preventing oil from leaking.

Claims 1-5, as far as they are enabled are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,575,619 (Chen).

Chen shows in FIG. 2 a bearing assembly for an axial flow fan comprising a fan frame and integrally molded bearing seat 11 (see col. 2, lines 15-18); a shaft 23 from a fan 2 received within the bearing seat, and a stop member 4,22 formed on the interior of the bearing seat for preventing the loss of lubricant.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Edgar whose telephone number is (571) 272-4816. The examiner can normally be reached on Monday thru Friday, 7 am- 5 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard Edgar/  
Primary Examiner  
Art Unit 3745

RE